

UNITED STATES BANKRUPTCY COURT

DISTRICT OF HAWAII

In re

HAWAIIAN TELCOM
COMMUNICATIONS, INC.,

Debtor.

Case No.08-02005

Chapter 11

SHULTS & TAMM, ALC as
LITIGATION TRUSTEE,

Plaintiff,

vs.

MICHAEL S. RULEY; CARTUS
CORPORATION; and APPLE
RIDGE FUNDING, LLC,

Defendants.

Adv. Pro. No. 11-90012

Re: Docket No. 66

**MEMORANDUM CONCERNING EX PARTE APPLICATION
FOR ORDER AUTHORIZING FILING OF EXHIBITS UNDER SEAL**

This is an adversary proceeding in bankruptcy. Fed. R. Bankr. P. 7001.
Plaintiff has filed an ex parte application to file certain documents under seal.
(dkt. no. 66). In this court, the filing of documents under seal is governed by
Local Bankruptcy Rule 9018-1.

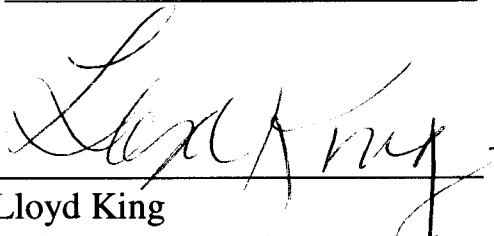
In this adversary proceeding, Plaintiff, as Litigation Trustee, pursuant to Debtors' confirmed chapter 11 plan of reorganization, seeks to recover, as avoidable preferences, fraudulent conveyances, and post-petition transfers, payments made to or for the benefit of Defendant Michael S. Ruley, pursuant to the termination of Ruley's employment as CEO of Debtors. Such payments are often called 'golden parachutes' and are frequently discussed in the media.

The financial terms of Ruley's Severance Agreement and Consulting Agreement are discussed in detail in Plaintiff's Second Amended Complaint. (dkt. no. 48).

Plaintiff's ex parte application seeks an order authorizing the filing of Exhibits "J", "K", "L", "M", "N" and "O" to Plaintiff's memorandum (dkt. no. 67) opposing a motion to dismiss filed by Defendants Cartus Corporation and Apple Ridge Funding, LLC. Those exhibits only give details as to the timing and amounts of various payments, and do not appear to disclose anything of a confidential nature that is not already made known by Plaintiff's Second Amended Complaint.

Therefore, an order will be entered denying Plaintiff's Application to file the above described documents under seal.

Dated: Honolulu, Hawaii, NOV 02 2011.



Lloyd King
United States Bankruptcy Judge